



Writer's direct dial: (425) 369-2844
Fax: (425) 369-2845
Email: tomm@lightsci.com



September 20, 2001

Charles Holland
Morrison & Foerster, LLP
755 Page Mill Road
Palo Alto, California 94304-1018

Re: Portfolio of Patents and Patent Applications of Light Sciences Corporation
Your Ref: Client 39803 for all matters

Dear Chuck:

As we discussed last week and earlier today, Light Sciences Corporation understands that a conflict or potential conflict may arise in the representation of our interests by the firm of Morrison & Foerster, LLP, with the Firm's representation of other clients, specifically, QLT, Ltd.

While I have very much enjoyed working with you and I believe that Light Sciences has been well represented by your efforts and those of other members of the Firm, I now believe it is in the best interests of Light Sciences to transfer those matters and the files to another firm.

Specifically, I am requesting that you transfer in an orderly fashion all files (active and closed) currently being handled by or in the possession of Morrison & Foerster, LLP to the attention of:

Stephanie L. Seidman
Heller Ehrman White & McAuliffe, LLP
4350 La Jolla Village Drive
6th Floor
San Diego, Ca 92122-1246
Telephone: (858) 450-8403
Email: sseidman@hewm.com

It is my further request, that the following matters be addressed and that work is completed before the files are transferred:

39803- 20002.20; 20008.00; and 20013.00



CONFIDENTIAL INFORMATION

Light Sciences Corporation confirms that it will not seek to disqualify Morrison & Foerster, LLP from representing QLT, Ltd. as a result of the work that the Firm has done on behalf of Light Sciences, provided that Morrison & Foerster, LLP agrees to treat as confidential any Light Sciences confidential information in your possession, and will continue to maintain the ethical wall that was previously set up, so that those in your Firm who have worked on Light Sciences matters will not work on QLT matters.

If you have any questions, please do not hesitate to contact me. Again, I very much appreciate the Firm's representation of Light Sciences Corporation for the past four years.

Sincerely,

Thomas D. Mays, Ph.D., J.D.
Vice President & General Counsel

Cc: Dr. James Chen
Marshall Small, Esq., Morrison & Foerster, LLP
Stephanie L. Seidman, Esq., Heller Ehrman White & McAuliffe, LLP



03CO H
#5

346 Please type a plus sign (+) inside this box ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|-----------------------------|----------------------------|---------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/905,405 | |
| | Filing Date | July 13, 2001 | |
| | First Named Inventor | J. CHEN | |
| | Group Art Unit | To Be Assigned | |
| | Examiner Name | To Be Assigned | |
| Total Number Of Pages In This Submission | 12 | Attorney Docket No. | 39803-2000700 |

ENCLOSURES (check all that apply)

| | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | 1. Request To Withdraw as Attorneys Of Record under 37 C.F.R. 1.36 (in triplicate) - 9 pages |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | 2. Copy of Instruction of Legal Services letter - 2 pages |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | 3. Return Receipt Postcard |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

| | |
|--------------------------------|---|
| Firm or Individual Name | Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, CA 94304-1018 |
| Signature | Charles D. Holland, Reg. No. 35,196 |
| Date | November 9, 2001 |

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 13, 2001.

Thao Pham

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.